

AMENDED IN ASSEMBLY JUNE 2, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1148

Introduced by Assembly Member Wyland

February 21, 2003

An act to amend ~~Section 295.7~~ *Section 10783 of the Revenue and Taxation Code, and to amend Sections 295.7 and 9105 of the Vehicle Code, relating to vehicles.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1148, as amended, Wyland. Vehicles: disabled veterans.

Existing law defines a “disabled veteran” for purposes of the Vehicle Code as a person who, as a result of injury or disease suffered while on active service with the armed forces of the United States, suffers certain disabilities.

This bill would include within that definition a veteran who has a disability that has resulted in the assignment of a total disability rating by the United States Department of Veterans Affairs under a specified federal regulation, *but would exclude these veterans from provisions exempting certain categories of persons from the payment of certain vehicle and license fees.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. *Section 10783 of the Revenue and Taxation*
- 2 *Code is amended to read:*

1 10783. (a) The license fee imposed by this part does not
2 apply to a passenger vehicle, a motorcycle, or a commercial
3 vehicle of less than 8,001 pounds unladen weight, unless the
4 vehicle is used for transportation for hire, compensation, or profit,
5 if the vehicle is owned by ~~any~~ a disabled veteran, as defined in
6 *subdivisions (a), (b), (c), or (d) of Section 295.7 of the Vehicle*
7 *Code, ~~any~~ a former American prisoner of war, or ~~any~~ a veteran*
8 *who is a Congressional Medal of Honor recipient.*

9 (b) The exemption granted by subdivision (a) shall extend to
10 not more than one vehicle owned by the veteran, or former
11 American prisoner of war, and is applicable to the same vehicle as
12 described in subdivision (b) of Section 9105 of the Vehicle Code.

13 (c) (1) The Department of Motor Vehicles may require ~~any~~ a
14 disabled veteran applying for an exemption under this section to
15 submit a certificate signed by a physician or surgeon substantiating
16 the disability.

17 (2) The Department of Motor Vehicles may require ~~any~~ a
18 person applying for an exemption under this section for either of
19 the following reasons to do any of the following:

20 (A) By reason of the person's status as a former American
21 prisoner of war, to show, by satisfactory proof, his or her former
22 prisoner-of-war status.

23 (B) By reason of the person's status of receiving the
24 Congressional Medal of Honor, to show, by satisfactory proof, that
25 he or she is a Congressional Medal of Honor recipient.

26 ~~(d) This section shall become operative on July 1, 1999.~~

27 SEC. 2. Section 295.7 of the Vehicle Code is amended to read:
28 295.7. A "disabled veteran" is a person who, as a result of
29 injury or disease suffered while on active service with the armed
30 forces of the United States, suffers any of the following:

31 (a) Has a disability that has been rated at 100 percent by the
32 Department of Veterans Affairs or the military service from which
33 the veteran was discharged, due to a diagnosed disease or disorder
34 which substantially impairs or interferes with mobility.

35 (b) Is so severely disabled as to be unable to move without the
36 aid of an ~~assistant~~ *assistive* device.

37 (c) Has lost, or has lost use of, one or more limbs.

38 (d) Has suffered permanent blindness, as defined in Section
39 19153 of the Welfare and Institutions Code.

(e) Has a disability that has resulted in the assignment of a total disability rating by the United States Department of Veterans Affairs under Section 4.16 of Title 38 of the Code of Federal Regulations.

SEC. 3. Section 9105 of the Vehicle Code is amended to read:

9105. (a) The fees specified in this code, except fees for duplicate plates, certificates, or cards, need not be paid for any of the following vehicles, that are of a type subject to registration under this code, and that are not used for transportation for hire, compensation, or profit, when owned by any former American prisoner of war, ~~any~~ a disabled veteran, or ~~any~~ a Congressional Medal of Honor recipient:

(1) Any passenger motor vehicle.

(2) Any motorcycle.

(3) Any commercial motor vehicle of less than 8,001 pounds unladen weight.

(b) (1) The exemption granted by subdivision (a) ~~shall~~ does not extend to more than one vehicle owned by ~~any~~ a former American prisoner of war, ~~any~~ a disabled veteran, or any Congressional Medal of Honor recipient and is applicable to the same vehicle as described in subdivision (b) of Section 10783 of the Revenue and Taxation Code.

(2) *The exemption granted by subdivision (a) does not apply to a person who qualifies as a disabled veteran under subdivision (e) of Section 295.7.*

(c) (1) The department may require ~~any~~ a disabled veteran applying for an exemption under this section to submit a certificate signed by a physician or surgeon substantiating the disability.

(2) The department may require any person applying for an exemption under this section for either of the following reasons to do any of the following:

(A) By reason of the person's status as a former prisoner of war, to show, by satisfactory proof, his or her former prisoner-of-war status.

(B) By reason of the person's status of receiving the Congressional Medal of Honor, to show, by satisfactory proof, that he or she is a Congressional Medal of Honor recipient.

~~(d) This section shall become operative on July 1, 1999.~~